

SOUTHWESTERN BELL TELEPHONE L.P.

ORDINANCE NO. 47-118

AN ORDINANCE OF THE CITY OF WICHITA, KANSAS, AMENDING SECTION 3 OF ORDINANCE NO. 45-677, A CONTRACT FRANCHISE WITH SOUTHWESTERN BELL TELEPHONE L.P. d/b/a SBC KANSAS, A TELECOMMUNICATIONS LOCAL EXCHANGE SERVICE PROVIDER.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

SECTION 1: Section 3 of City of Wichita Ordinance No. 45-677 is hereby amended to read as follows:

SECTION 3. Term

(a) This contract franchise ordinance shall be effective for a term of three (3) years from the effective date of this contract franchise ordinance. Thereafter, this contract franchise ordinance will renew for one (1) additional one (1) year term, unless either party notifies the other party of its intent to terminate the contract franchise ordinance prior to one hundred and eighty (180) days before the termination of the then current term. The additional term shall be deemed a continuation of this franchise and not as a new franchise or amendment.

(b) Upon written request of either the City or SBC Kansas, this contract franchise ordinance shall be renegotiated at any time in accordance with the requirements of K.S.A. 12-2001, as amended, upon any of the following events: Changes in federal, state, or local laws, regulations, or orders that materially affect any rights or obligations of either the City or SBC Kansas, including but not limited to the scope of the contract franchise ordinance granted to the SBC Kansas or the compensation to be received by the City hereunder.

(c) Amendments under this Section, if any, shall be made by contract ordinance as prescribed by statute. The contract franchise ordinance shall remain in effect according to its terms pending completion of any review or renegotiation provided by this section.

SECTION 2: The original of Section 3 of Ordinance No. 45-677 of the City of Wichita, Kansas, is hereby repealed.

SECTION 3: This contract franchise ordinance amendment shall be effective upon its final passage and publication once in the official City paper.

PASSED AND APPROVED by the governing body of Wichita, Kansas, this date, September 19, 2006.

CARLOS MAYANS, Mayor

ATTEST:

KAREN SUBLETT, City Clerk

APPROVED AS TO FORM:

GARY E. REBENSTORF, Director of Law